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ORDINANCE NO. 33^a

AN ORDINANCE RELATING TO OPEN CELLARS, EXCAVATIONS, HOLES OR PITS, THE ACCUMULATION OR DEPOSITION OF NAUSEOUS, OFFENSIVE OR FOUL WATER OR OTHER SUBSTANCE AND WEEDS, AND DECLARING SAME TO BE A NUISANCE AND PROVIDING PENALTY FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the BOARD OF TRUSTEES OF THE TOWN OF HILLROSE:

Section I. Any person or persons being the owners of any vacant or unoccupied lots or parcels of ground within the corporate limits of said town, or any agent or person in charge thereof, permitting open cellars, excavations, holes or pits to remain thereon without properly filling same to level of said lot or parcel of ground, or without proper barricade, shall be deemed guilty of a public nuisance.

Section II. Any cellar, excavation, pit, hole, vault, drain sewer, pond of water, or other place upon or within any private premises or grounds in this town that shall be nauseous or offensive to others or injurious to public health through an accumulation or deposition of nauseous, offensive or foul water or other substance shall be deemed a nuisance.

Section III. Any person or persons being the owners of any vacant or unoccupied lots or parcels of ground within the corporate limits of said town, or any agent or person in charge thereof, permitting the weeds to grow up on said lot or land unmowed shall be likewise deemed guilty of a public nuisance.

Section IV. For a violation of any provision of this Ordinance, the person or persons guilty thereof shall be fined in a sum not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00) for each and every offense, and each day's continuance of said nuisance or nuisances shall be deemed and taken to be a separate offense and the same fine imposed accordingly.

Section V. This ordinance applies in all cases for which no other specific provision is made in this or any other ordinance of said town. And it is further provided that in the event of failure of any of the aforesaid persons to comply with any or all of the provisions of said ordinance, the Mayor of said town may employ proper persons to abate such nuisance or nuisances or to do any act or thing required of such aforesaid persons and the expense thereof shall become a lien against the lot or parcel of land so owned or controlled by any such persons and to be taxed up and assessed against such lot or parcel as other taxes.

Section VI. When used in this ordinance the words "person or persons" shall mean and include any individual, corporation, partnership, association or organized group of persons, whether incorporated or not.

Section VII. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section VIII. In the opinion of the Board of Trustees, this ordinance is necessary for the immediate protection and preservation of the public health, safety, convenience, and general welfare, and it is enacted for that purpose, and shall be in full force and effect after its passage and final publication.

Introduced and read this 4th day of February, 1958.

Passed, adopted and approved, this 3rd day of March, 1958.

Mayor.

Town Clerk